

BOARD OF DIRECTORS – ACTION SUMMARY

Wednesday, November 10, 2004 – 6:00 p.m.

**Administration Building
2101 Hurley Way, Sacramento, CA**

CALL TO ORDER

The meeting was called to order by President Jones. Board Members present: Engellenner, Goold, Granados, Jones, Kelly, Lawson, Trujillo, Valley. Director Duveneck, absent. Staff: Fire Chief Martinez, Board Clerk Tilson, General Counsel Price

PLEDGE TO FLAG

PUBLIC OPPORTUNITY TO DISCUSS MATTERS OF PUBLIC INTEREST WITHIN DISTRICT JURISDICTION INCLUDING ITEMS ON OR NOT ON THE AGENDA

CONSENT AGENDA:

1. Board Meeting Action Summary—October 27, 2004

- **Board Action:**
Engellenner/Granados—approve the Consent Agenda. Directors Engellenner, Goold, Granados, Jones, Kelly, Lawson, Trujillo, Valley, AYE. Director Duveneck, absent. Motion carried.

ACTION ITEM(S)

1. Review Holiday Board Meeting Schedule—(Martinez)

- The Board of Directors at its meeting on February 18, 2004 approved changing the meeting dates from the first and third Wednesday to the second and fourth Wednesday of each month at 6:00 p.m., commencing April 14, 2004.
- Pursuant to California Elections Code Section 10554, newly elected officials take office at noon on Friday, December 3, 2004, after taking the official oath. The swearing in ceremony for the elected Directors will be held on this date at 2:00 p.m.

- During the months of November and December, some meeting dates fall in close proximity to a holiday. In past practice, the Board has canceled meeting dates during the Holiday Season.
- Staff recommended the Board review the following Board meeting schedule for the remainder of November and December and cancel the meetings of November 24, 2004 and December 22, 2004, or make changes as deemed appropriate:

November 24, 2004 – Day before Thanksgiving

December 8, 2004 – Regularly scheduled Board Meeting

December 22, 2004 – Regularly scheduled Board Meeting

- Discussion was held on a second meeting date in November to take care of unfinished business moved forward to the full Board by the Policy Committee on the ranking of the Battalion Chiefs list; Fire Chief Martinez stated no action is pending.

General Board consensus to agendaize the issue for the December 8, 2004 Board meeting.

- In response to Director Granados, Counsel Price clarified the fact that the Swearing In Ceremony on December 3, 2004 is an exemption in The Brown Act in terms of more than a quorum meeting together, as long as business is not discussed.

- **Board Action:**

Goold/Lawson—cancel the meeting of November 24, 2004, and maintain the regularly scheduled meetings of December 8 and December 22. Directors Goold, Granados, Jones, Kelly, Lawson, Trujillo, Valley, AYE. Director Engellenner, NO. Director Duveneck, absent. Motion carried.

Director Goold stated if there are no time-sensitive issues for the meeting of December 22, 2004, the Board can cancel the meeting.

2. Clarification of Administrative Leave for Board Clerk—(Martinez)

- Fire Chief Martinez stated several months ago the Board took action to move the Board Clerk's position into the exempt Senior Management, Management and Unrepresented Confidential Employees Resolution.
- An oversight occurred on his part relative to the fact that The Board Clerk had a contract that expired which provided for 72 hours of annual Administrative Leave. The way the Resolution is written, the 72 hours would be reduced to 40 hours Administrative Leave.

- Recommendation is consistent with the theme of the reorganization that our intent is not to take away a benefit from the employee; looking for support by motion of the Board to maintain the annual 72 hours of Administrative Leave for the incumbent Board Clerk effective this year to keep the employee whole.
- Director Trujillo just wanted to make sure no benefits are lost.
- **Board Action:**
Granados/Engellenner—maintain the same annual 72 hours of Administrative Leave as in the past for the incumbent Board Clerk. Directors Engellenner, Goold, Granados, Jones, Kelly, Lawson, Trujillo, Valley, AYE. Director Duveneck, absent. Motion carried.

**3. Resolution No. 53-04—Direct Sale of Surplus Real Property-
6131 Kenneth Avenue, Fair Oaks—(Horel)**

- The Board of Directors adopted Resolution No. 43-03 on August 11, 2004 that declared approximately 3.4 acres of District-owned real property located at 6131 Kenneth Avenue in Fair Oaks as surplus to District business purposes and authorized District staff to sell the property in accordance with District procedures. The appraised value was \$965,000.

- The District received the following three bids:

<u>Bidder</u>	<u>Deposit</u>	<u>Bid Amount</u>
Mousa Sweis Folsom, CA	\$10,000	\$500,100
Bill Simon El Dorado Hills, CA	\$10,000	\$551,000
Tower Development Corp. Timothy Lee, President Sacramento, CA	\$10,000	\$901,001

- Since the preparation of the staff report, a call was received today from Tower Development Corporation indicating their firm is no longer interested in acquiring the property.

A condition of the bid solicitation was receipt of a non-refundable \$10,000 deposit. In the event no bids are accepted, all deposits will be returned to the bidders. If a bid is accepted, the District is entitled to retain the deposit from the bid that is accepted.

- Recommends the Board accept the high bid of \$901,001 from Tower Development Corporation and adopt the Resolution to allow the non-refundable \$10,000 deposit to be forfeited and deposited into the District account if the contract is not executed.

Staff will request further Board direction on disposition of the property at a later date.

- **Board Action:**
Goold/Valley—approve staff recommendation and adopt the Resolution to accept the Tower Development Corporation bid of \$901,001 for the surplus property and direct staff to complete the sale. Directors Engellenner, Goold, Granados, Jones, Kelly, Lawson, Trujillo, Valley, AYE. Director Duveneck, absent. Motion carried.

4. Request Waiver or Modification of Special Fire Tax-Joseph—(Appel)

- A letter of request was received from Mr. And Mrs. Tony Joseph from the Murieta Village Mobile Park requesting a waiver or reduction of the \$100 Special Fire Tax.
- The voters of the Sloughhouse/Rancho Murieta area approved a ballot measure for the Special Fire Tax applied at \$100 per parcel in the area to maintain the level of services being provided by the fire department.
- In response to President Jones, staff to research other potential options for relief and provide information to the resident such as lower insurance rates, utility service programs for individuals on a fixed income.
- Staff recommends the request be denied. As written, the District's Special Fire Tax has no provision for either waiving or modifying the tax.
- **Board Action:**
Engellenner/Valley—deny the request. Directors Engellenner, Goold, Granados, Jones, Kelly, Lawson, Trujillo, Valley, AYE. Director Duveneck, absent. Motion carried.

PRESENTATION ITEM(S)

PRESIDENT'S REPORT—(Jones) None

FIRE CHIEF'S REPORT—(Martinez)

- Station 107 at Eastern and Berrendo--the County Planning Commission approved the District's application for the conditional use permit.

Station 32 on Hazel--will be before the Planning Commission on November 22.

Pre-qualification for Bidders on Public Works Fire Station Projects to be posted on District website, with legal notices published as part of the process.

Request for Bids on Stations 32 and 107 scheduled for January with bid opening in February, contingent upon completion of the approval process.

Mr. Horel to provide a status update at the December Board meeting.

GENERAL COUNSEL'S REPORT—(Price)

- Board members were served with a confidential tort claim by Scott Lewis—he will provide a report to the Board in Closed Session on December 8, 2004.

COMMITTEE AND DELEGATE REPORTS:**Executive Committee—(Jones)**

- Next meeting: TBA

Communications Center Delegate—(Engellenner)

- Next Meeting: November 30, 2004 – 10:30 a.m.

California Fire & Rescue Training Authority—(Goold)

- Next meeting: TBA

Finance Committee—(Jones)

- Next meeting: December 22, 2004 – 5:00 p.m.

Policy Committee—(Granados)

- Reported on today's meeting. Committee referred its recommendation on the ranking of the Battalion Chief's List to the full Board for the meeting on December 8, 2004.
- Next meeting: December 8, 2004 – 5:00 p.m.

INFORMATIONAL ITEMS:**Correspondence**

1. California Special Districts Association--
Board Director Election Result
 - ❖ Wayne Kuntz of the Rancho Murieta Community Services District was elected at CSDA's Annual Conference on September 24, 2004, to the Board of Directors, Region 2, Seat B.

BOARD MEMBER QUESTIONS AND COMMENTS:**Board:**

- The Board members wished everyone a Happy Holiday season during Thanksgiving.
- Special thanks and appreciation was extended to all the veterans for their service to our Country.

Granados:

- Thanked the firefighters and Local 522 for their support in the election and is very happy to continue in this process.

Kelly:

- Participated in the community forum on Fire Station 107 to be built at Eastern and Berrendo; also attended the Planning Commission meeting.
- Extended his thanks to everyone who helped elect him to this position. Looking forward to working with each and everyone here.

Trujillo:

- Welcomed Chief Plessas back to work.
- Congratulated the Board members who were elected.

Lawson:

- Echoed congratulations to the elected Board members.

Valley:

- Congratulated those elected and knows we can work together.

Jones:

- Congratulated Metro staff, Captain Pat Ellis and the Goold family for the tremendous community service broadcast that Metro participated in on the advanced smoke detector alarm demonstrating the effectiveness of using the recorded voice of the mother to awaken children.

ADJOURNMENT: The meeting was adjourned at 6:55 p.m.

Gay Jones, President

H. Peter Engellenner, Secretary

Charlotte Tilson, Clerk of the Board